THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.26936 OF 2005

Dated: 19-12-2005

Between

D. Mohana Rao, Unemployee, Scheduled Caste, S/o. Devasahayam, Gollagudem Village, Punadipadu Post, Kankipadu Mandal, Krishna District and others.

...PETITIONERS

AND

The Station Director, All India Radio, Prasara Bharathi, Broadcasting Corporation of India, Punnammathota, Vijayawada – 8, Krishna District and another.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to declare the action of the respondent No.1 in not allowing them to appear for written test/interview for selection and appointment to the posts of Safaiwala as illegal and arbitrary.

Learned counsel for the petitioners submits that the petitioners are unemployed youth belonging to Scheduled Caste and they have registered their names in the District Employment Exchange, Vijayawada, Krishna District. The petitioners have made applications to the first respondent for selection and appointment to the post of Safaiwala. As per the requisition, the second respondent forwarded a list of candidates to the first respondent, but the names of the petitioners were not sponsored by the second respondent to consider their candidature for the said post. The learned counsel further submits that

though the names of the petitioners have not been sponsored by the second respondent it cannot be a ground to reject their applications by the appointing authority in view of the principle laid down by the Supreme Court in **EXCISE SUPERINTENDENT, MALAKAPATNAM, KRISHNA DISTRICT v K.B.N. VISWESWARA RAO.**

In that view of the matter, the writ petition is disposed of directing the respondents to consider the applications of the petitioners for the posts of Safaiwala in terms of the regulations without disqualifying them only on the ground that their names were not sponsored by the Employment Exchange concerned, if they are otherwise eligible and fulfill other terms and conditions.

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V. ESWARAIAH, J

December 19, 2005

Note: Furnish C.C. of the order by 21.12.2005

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